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**FILED**

May 23, 2005

**NEW JERSEY STATE BOARD  
 OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
 DEPARTMENT OF LAW & PUBLIC SAFETY  
 DIVISION OF CONSUMER AFFAIRS  
 STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION  
 OR REVOCATION OF THE LICENSE OF

ALENE MARIA PFISTER, M.D.  
 License No. 44466

TO PRACTICE MEDICINE AND SURGERY  
 IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
 OF DISCIPLINE

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

1. Respondent, Alene Maria Pfister, M.D., License No. MA44466, is a physician licensed in the State of New Jersey and has been a licensee at all times relevant hereto. On or about June 30, 1987, Respondent permitted that license to lapse, as a consequence of Respondent's failure to submit her biennial renewal application in 1987, Respondent's license to practice medicine and surgery in the State of New Jersey was automatically suspended pursuant to N.J.S.A. 45:9--6.1 which allows for reinstatement upon payment of certain fees.

**CERTIFIED TRUE COPY**

2. On or about July 24, 2004, Respondent entered into a stipulated surrender of License and Order with the Division of Medical Quality, Medical Board of California which was adopted on August 18, 2004, as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California. The surrender of Respondent's California medical license was based on a charge of unprofessional conduct for Respondent's conviction of two separate crimes (occurring on June 18, 2003 and June 13, 2003) that were substantially related to the qualifications, functions or duties of a physician and surgeon, (pursuant to sections 2236(a) and 2234 of the California Code) and Respondent's use of alcoholic beverages to the extent or in such a manner as to be dangerous to herself, others, and to the public (pursuant to sections 2239(a) and 2234 of the California Code) as set forth in the Accusation filed by the State of California Medical Board of California on July 14, 2004. On or about September 24, 2003, Respondent pleaded no contest in Contra Costa County Superior Court (Walnut Creek) to a violation of Vehicle Code section 23152(a) (Driving under the influence of alcohol or drugs) and was placed on three years probation with terms and conditions including two days imprisonment, work alternative program, fines totaling \$1,595.00, enrolling within 10 days in a First Offender Drinking Driver's Program, and restricted driving privileges for 90 days. Thereafter, on or about December 4, 2003, Respondent pleaded no contest, in Contra Costa County Superior Court (Richmond), to driving while having a 0.08% or higher blood alcohol, a violation of Vehicle Code 23152 (b), the earlier Walnut Creek action was consolidated with this action and she was placed on three years probation with terms and conditions including two days imprisonment, fines of \$1,615.00, and reporting to the Post Conviction Drinking Driver's Program within 10 days.

### CONCLUSIONS OF LAW

1. The above disciplinary action provides grounds for the suspension of licensure in the State of New Jersey pursuant to N.J.S.A. 45:1-21(f) and (g) in that Respondent has surrendered her California Medical license which is tantamount to a suspension or revocation of her license to practice medicine, and her convictions are for crimes of moral turpitude and crimes relating adversely to the profession of medicine.

### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice medicine and surgery in the State of New Jersey until such time as her California medical license has been fully restored, was entered on February 16, 2005, and a copy was forwarded to Respondent's last known address by means of both regular and certified mail. The Provisional Order of Discipline was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons thereof.

Although the record reflects that the Provisional Order was served upon Respondent at her last known address by means of both regular and certified mail, no response has been received to date. Accordingly, the Board considered the matter, determined that further proceedings were not necessary and that the Provisional Order should be made final.

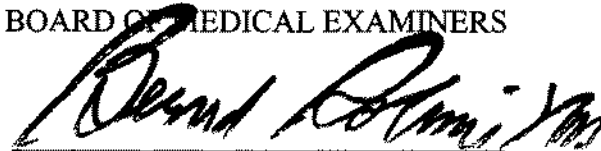
ACCORDINGLY, IT IS on this 23RD day of MAY, 2005,

ORDERED that:

1. Respondent's license to practice medicine and surgery in the State of New Jersey shall be and hereby is suspended until such time as her California medical license has been fully restored.
2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board or a committee thereof, to demonstrate fitness to resume practice, to show that Respondent has satisfied all requirements of any California disposition and is reinstated to the practice of medicine in that State.

NEW JERSEY STATE  
BOARD OF MEDICAL EXAMINERS

By:



Bernard Robins, M.D., F.A.C.P.  
Board President